

Exhibit 1

IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF DELAWARE

MICHAEL AVENATTI,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 1:20-cv-01541-SB
)	
FOX NEWS NETWORK, LLC, a Delaware)	
Limited Liability Company; SEAN)	
HANNITY; LAURA INGRAHAM; MARIA)	
BARTIROMO; HOWARD KURTZ;)	
SHANNON BREAM; BRET BAIER; TRISH)	
REGAN; RAYMOND ARROYO; JON)	
SCOTT; LELAND VITTERT; and)	
JONATHAN HUNT,)	
)	
Defendants.)	
)	

**TRANSMITTAL DECLARATION OF R. GARRETT RICE
IN SUPPORT OF DEFENDANTS' OPENING BRIEF
IN SUPPORT OF THEIR MOTION TO STRIKE AMENDED COMPLAINT**

I, R. Garrett Rice, declare:

I am an associate at the law firm Ross Aronstam & Moritz LLP, counsel for Fox News Network, LLC, Sean Hannity, Laura Ingraham, Maria Bartiromo, Howard Kurtz, Shannon Bream, Bret Baier, Trish Regan, Raymond Arroyo, Jon Scott, Leland Vittert, and Jonathan Hunt (collectively, "Defendants"). I submit this declaration in support of Defendants' Opening Brief in Support of Their Motion to Strike Amended Complaint, filed concurrently herewith.

1. Attached as **Exhibit A** hereto is a true and correct copy of the Bond and Conditions of Release filed on April 27, 2020 as Document 154 in *U.S. v. Avenatti*, Case No. 8:19-cr-00061-JVS-1 (C.D. Cal.).¹

¹ Non-substantive text and images, including advertisements, have been omitted from the end of certain articles.

2. Attached as **Exhibit B** hereto is a true and correct copy of the following article: Brian Schwartz, *Michael Avenatti is mulling a run for president again after declaring he would not seek nomination*, CNBC.COM (Aug. 3, 2019), available at <https://www.cnbc.com/2019/08/03/michael-avenatti-is-mulling-a-2020-run-for-president-again.html>.

3. Attached as **Exhibit C** hereto is a true and correct copy of the following article: Brianne Pfannenstiel, *Michael Avenatti in Iowa: 'I'm exploring a run for the presidency of the United States'*, DESMOINESREGISTER.COM (Aug. 9, 2018), available at <https://www.desmoinesregister.com/story/news/politics/2018/08/09/michael-avenatti-iowa-wing-ding-president-exploring-run-caucus-2020-stormy-daniels/935636002/>.

4. Attached as **Exhibit D** hereto is a true and correct copy of the following article: Joseph Wulfsohn, *Lawyer Avenatti made 254 TV appearances in year leading up to legal troubles, research shows*, FOXNEWS.COM (April 11, 2019), available at <https://www.foxnews.com/entertainment/lawyer-michael-avenatti-254-tv-appearances-prior-to-legal-troubles>.

5. Attached as **Exhibit E** hereto is a true and correct copy of the following article: Jessica Kwong, *Michael Avenatti Slams Donald Trump as 'Disgusting Misogynist' in Scathing Melania Cheating Tweet*, NEWSWEEK.COM (Oct. 16, 2018), available at <https://www.newsweek.com/michael-avenatti-donald-trump-misogynist-1172447>.

6. Attached as **Exhibit F** hereto is a true and correct copy of the following tweet: Michael Avenatti (@MichaelAvenatti), TWITTER.COM (Oct. 16, 2018), available at <https://twitter.com/michaelsenatti/status/1052216215328907267?lang=en>.

7. Attached as **Exhibit G** hereto is a true and correct copy of the following tweet:

Los Angeles Police Department (@LAPDHQ), TWITTER.COM (Nov. 14, 2018), available at <https://twitter.com/lapdhq/status/1062858851618156544?lang=en>.

8. Attached as **Exhibit H** hereto is a true and correct copy of the following press release: Los Angeles Police Department, *Arrest Announcement of Michael Avenatti NR18291ml*, LAPDONLINE.ORG (Nov. 15, 2018), available at https://www.lapdonline.org/west_la_community_police_station/news_view/64792.

9. Attached as **Exhibit I** hereto is a true and correct copy of the following article: Emily Sullivan, *Michael Avenatti, Stormy Daniels' Lawyer, Arrested Following Domestic Violence Claim*, NPR.ORG (Nov. 15, 2018), available at <https://www.npr.org/2018/11/15/668095372/michael-avenatti-stormy-daniels-lawyer-arrested-on-allegations-of-domestic-viole>.

10. Attached as **Exhibit J** hereto is a true and correct copy of the Criminal Complaint filed on March 22, 2019 as Document 1 in *U.S. v. Avenatti*, Case No. 8:19-cr-00061-JVS-1 (C.D. Cal.).

11. Attached as **Exhibit K** hereto is a true and correct copy of the Indictment filed on April 10, 2019 as Document 16 in *U.S. v. Avenatti*, Case No. 8:19-cr-00061-JVS-1 (C.D. Cal.).

12. Attached as **Exhibit L** hereto is a true and correct copy of the Criminal Complaint filed on March 24, 2019 as Document 1 in *U.S. v. Avenatti*, Case No. 1:19-cr-00373-PGG-1 (S.D.N.Y.).

13. Attached as **Exhibit M** hereto is a true and correct copy of the Indictment filed on May 22, 2019 as Document 8 in *U.S. v. Avenatti*, Case No. 1:19-cr-00373-PGG-1 (S.D.N.Y.).

14. Attached as **Exhibit N** hereto is a true and correct copy of the following article: Michael Finnegan & Mark Z. Barabak, *Must Reads: Michael Avenatti's life of luxury hangs by a*

thread as IRS comes calling, LATIMES.COM (March 27, 2019), available at <https://www.latimes.com/politics/la-na-pol-avenatti-california-tax-investigation-20190327-story.html>.

15. Attached as **Exhibit O** hereto is a true and correct copy of the following article: Samuel Braslow, *Disgraced Attorney Michael Avenatti, by the Numbers*, LAMAG.COM (Jan. 15, 2020), <https://www.lamag.com/citythinkblog/michael-avenatti-fraud-taxes-prison/>.

16. Attached as **Exhibit P** hereto is a true and correct copy of the following article: Rebecca Davis O'Brien, *Michael Avenatti's Nike Trial Is Just the Start of His Legal Woes*, WSJ.COM (Jan. 29, 2020), available at <https://www.wsj.com/articles/michael-avenattis-nike-trial-is-just-the-start-of-his-legal-woes-11580312098>.

17. Attached as **Exhibit Q** hereto is a true and correct copy of the following article: Kara Scannell & Sara Sidner, *Michael Avenatti due in court on embezzlement charges*, CNN.COM (July 7, 2019), available at <https://www.cnn.com/2019/07/07/politics/michael-avenatti-court-hearing-embezzlement-charges/index.html#:~:text=Michael%20Avenatti%20is%20due%20back,of%20dollars%20from%20his%20clients.&text=Avenatti%20has%20pleaded%20not%20guilty%20to%20those%20charges>.

18. Attached as **Exhibit R** hereto is a true and correct copy of the following article: Timothy Bella & Matt Zapotosky, *Michael Avenatti arrested by IRS agents and accused of violating bail terms, to remain in jail, judge rules*, WASHINGTONPOST.COM (Jan. 15, 2020), available at <https://www.washingtonpost.com/nation/2020/01/15/avenatti-arrested-bail/>.

19. Attached as **Exhibit S** hereto is a true and correct copy of the following article: Dan Mangan, *Michael Avenatti charged with ripping off porn star Stormy Daniels, trying to extort Nike in new indictments*, CNBC.COM (May 22, 2019), available at

<https://www.cnn.com/2019/05/22/michael-avenatti-indicted-for-alleged-extortion-attempt-against-nike.html>.

20. Attached as **Exhibit T** hereto is a true and correct copy of the Verdict filed on February 14, 2020 as Document 265 in *U.S. v. Avenatti*, Case No. 1:19-cr-00373-PGG-1 (S.D.N.Y.).

21. Attached as **Exhibit U** hereto is a true and correct copy of the following article: Michael Balsamo & Andrew Dalton, *Michael Avenatti arrested in LA on domestic violence charge*, APNEWS.COM (Nov. 14, 2018), available at <https://apnews.com/article/a75d5e0924764ba59024806d0ce2977f>.

22. Attached as **Exhibit V** hereto is a true and correct copy of the Indictment filed on May 22, 2019 as Document 1 in *U.S. v. Avenatti*, Case No. 1:19-cr-00374-JMF (S.D.N.Y.).

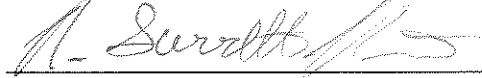
23. Attached as **Exhibit W** hereto is a true and correct copy of the Request for Domestic Violence Restraining Order filed by Mareli Miniutti against Michael Avenatti in the Superior Court of California, County of Los Angeles on November 19, 2018, Case No. 18SMR000498.

24. Attached as **Exhibit X** hereto is a true and correct copy of the following article: Laura Ingraham, *Laura Ingraham: Michael Avenatti's assault on Democrats' credibility*, FOXNEWS.COM (Nov. 16, 2018), available at <https://www.foxnews.com/opinion/laura-ingraham-michael-avenattis-assault-on-democrats-credibility>.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief.

Executed this 3rd day of March, 2021.

ROSS ARONSTAM & MORITZ LLP



R. Garrett Rice (Bar No. 6242)

100 S. West Street, Suite 400

Wilmington, Delaware 19801

Tel.: (302) 576-1600

Email: grice@ramllp.com

*Attorney for Fox News Network, LLC, Sean
Hannity, Laura Ingraham, Maria Bartiromo,
Howard Kurtz, Shannon Bream, Bret Baier,
Trish Regan, Raymond Arroyo, Jon Scott,
Leland Vittert, and Jonathan Hunt*